

**CITY OF KANKAKEE
CITY COUNCIL SPECIAL MEETING
MINUTES
MAY 14TH, 2018
7:30 P.M.**

MAYOR WELLS-ARMSTRONG: I would like to call the meeting to order. First of all, thank you all for making time in your schedules to be here this evening. We have a few things on the agenda. We will start with a prayer by Pastor Dave Robinson from Genesis Community Ministries.

PASTOR DAVE ROBINSON: Good Afternoon Mayor and Council Officials. Let us pray. Father we come before You tonight Holy Spirit; Spirit of Life; Sprit of Love; Spirit of Community. We ask Your blessing this evening on the people who have been called to lead the community in which we live, in which we work, worship and play. I ask that You would bless them with the needed knowledge; wisdom to make the right choices, that our community may grow and expand and be a beautiful and blessed place for all people; all people Dear God, to live. Help us to understand the lesson that we are servants and stewards. We are not owners, we are not rulers, but we are servants and stewards, and if we be good stewards, You will give us greater responsibility which will come with greater authority. So help us Dear God in this time of our lives, when we as humans, even as Pastors we think that we are owed something...on loan to us...our authority, our homes, our incomes, everything surrounds us is on loan to us this evening. So I pray Dear God that we move...eternity that we are good servants and good stewards of the responsibilities and gifts, talents and abilities that you have blessed us with. At the end of our journey, we will hear from you, well done thy good and faithful servant. Hear our Prayer Oh Jesus. In Jesus Name. Amen.

MAYOR WELLS-ARMSTRONG: Thank you Pastor Robinson. The Council will lead the Pledge.

IN UNISON: "I pledge allegiance to the Flag of the United States of America, and to the Republic, for which it stands, one Nation under God, indivisible, with liberty and justice for all".

PUBLIC COMMENTS

MAYOR WELLS-ARMSTRONG: Okay, we have no Public Comments. Moving on to Roll Call of the City Council please.

CLERK DUMAS: **PRESENT:** Tetter, Brown, Curtis, Baron, Lewis, Tall, Faford, Crawford, Osenga, O'Brien, Gall, Malone Marshall, Kennedy
ABSENT: Swanson,
(13) Present (1) Absent

MAYOR WELLS-ARMSTRONG: Department Heads.

CLERK DUMAS: **PRESENT:** Dumas, Schuldt, Kubal, Power, Schmitz, Crosswell, Thank you.

UNFINISHED BUSINESS INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF KANKAKEE, CITY OF KANKAKEE DEVELOPMENT CORPORATION AND THE PUBLIC LIBRARY TO ACCEPT THE PROPOSAL FOR ZAGSTER BICYCLES

MAYOR WELLS-ARMSTRONG: Okay, we have no minutes, no communications; there are no standing committee reports, and no report of officers. Moving on to Item 11 (A) we have Intergovernmental Agreement between the City of Kankakee, City of Kankakee Development Corporation and the Kankakee Public Library to Accept the Proposal for Zagster Bicycles. All three entities have expressed the desire to rent a bike rack, five bikes and five spaces. I believe that KDC was approved last week. The Library is tomorrow. The total is \$9,000.00 for a two year commitment and splitting between the three entities it will be \$3,000.00 each year and the total is \$6,000.00. In addition to having, the bike rack, we are looking at the Farmer's Market if it's approved and it will also include some marketing of our City. I will go ahead and turn it over to Alderman Curtis who serves on KDC.

ALD CURTIS: Thank you Mayor. Last week on last Tuesday, KDC did approve the one third partner in this program. As the Mayor mentioned, with anticipation the Public Library will also vote in favor this Monday. Right now there are several locations in Bradley, Bourbonnais, and Manteno. When Kankakee Development Corporation kind of looked

at the map with the new bicycle trail bridge marked in the ... a big void, the downtown area we thought is a good fit the Farmer's Market area would be a location for a bike rack that will be visible from the Library as you are entering right across the parking lot. The Depot, restaurants and business across the street on Schuyler Avenue, the traffic going down Schuyler Avenue and then people attending the Farmer's Market. The thought was is, it's a sharing program and somebody can use a bike to ride at Olivet. Students can ride a bike from Olivet down to the Farmer's Market, then they might catch a ride home with somebody else; pick up a bike at the Farmer's Market ride out to Prairie Farm and leave it there. So we think it's a good incentive for downtown to continue getting people to downtown business, to things that are happening and we felt that it would be a big void if we did not part taking in it with everyone else. So KDC supports it, it will have the...the way we are set up as the Mayor mentioned we will have a bike rack that will have five empty spaces and five bikes on it. If for some reason ten bikes get there, Tern of wheels will be monitoring it and they will pick up five bikes and move them to another station that has less amount of bikes. We will have a big sign there over 6ft tall next to it that will be marketing the City of Kankakee's Logo, the Library's Logo and KDC's Logo Partnership. Then there will be other potential partnerships opportunities also. My understanding is \$3,000.00 this year and another \$3,000.00 will not be due until next year.

MAYOR WELLS-ARMSTRONG: Thank you Alderman Curtis. Pat, do you just want to mention something about the agreement.

PAT POWER: Yes, this agreement that you are voting on her is just a two party agreement between the City and the entity that will be running the program. Actually, we have an agreement and we are to pay \$9,000.00. We are going to need and I will prepare an intergovernmental agreement with the other three entities or the other two entities s to the \$3,000.00 a piece that will go toward the \$9,000.00 that will be forth coming. We will need to consider that at our next meeting.

ALD CURTIS: My understanding as the City, they only want a contract with one person but KDC and the Library will be reimbursing the City with \$6,000.00.

PAT POWER: We just need an intergovernmental agreement to support that part.

MAYOR WELLS-ARMSTRONG: Thank you Pat. May I have a motion to accept the agreement between the City of Kankakee, KDC and the Kankakee Public Library regarding the proposal for the Zagster Bicycles?

ALD CURTIS: I will make that motion Mayor.

MAYOR WELLS-ARMSTRONG: Motioned made by Alderman Curtis.

ALD O'BRIEN: Second.

MAYOR WELLS-ARMSTRONG: Seconded by Alderman O'Brien. Any discussion?

ALD O'BRIEN: Mayor, I just want to mention, I was at one of the KDC meetings where Stacy Wilken was presenting regarding this. I think it's important to know that she shared at that meeting, the vision initially with the sponsoring organizations initially are pretty much all municipalities; a couple private sector businesses but he foresees that two years from now when this initial agreement expires, that the thought would be to go to entirely private sector individual businesses. So basically municipalities will help start this but are not the forever solution to fund this and keep it going. I think it's important. I believe we help play a role to get it started, after that it can and will be successful and I think that's a good use of our resources.

MAYOR WELLS-ARMSTRONG: Thank you Alderman O'Brien. Any other discussion?

ALD TALL: Yes, Madam Chair?

MAYOR WELLS-ARMSTRONG: Alderman Tall.

ALD TALL: Which fund is the money coming from?

MAYOR WELLS-ARMSTRONG: Pardon me?

ALD TALL: Which fund is the money coming from?

MAYOR WELLS-ARMSTRONG: It would be under Community Promotions.

ELIZABETH KUBAL: Thank You Mayor. The budget currently, the way that it is stated for the fiscal year we just complete could absorb this

with no issue from Community Promotions budget.

MAYOR WELLS-ARMSTRONG: Thank you. Any other discussion? Alderwoman Kennedy?

ALD KENNEDY: Thank you Mayor. The maintenance...did I miss that? Who's responsible for maintaining the bikes?

ALD CURTIS: The Zagster Program is along with Turn of the Wheel. They are responsible for 100 percent of the maintenance with the bikes and everything so there is no upkeep no maintenance that's required.

ALD BARON: The agreement specifically says that we are not responsible for any maintenance or any liabilities.

ALD KENNEDY: Thank you.

MAYOR WELLS-ARMSTRONG: Okay, Roll Call.

CLERK DUMAS: **AYES:** Tetter, Brown, Curtis, Baron, Lewis, Tall, Faford, Crawford, Osenga, O'Brien, Gall, Malone Marshall, Kennedy
(13) Ayes (0) Nays

**PROPOSAL BY ODELSON STERK., LTD., ATTORNEY AT LAW
TO PROVIDE LEGAL COUNSEL FOR
THE CITY OF KANKAKEE AT THE RATE OF 20 HOURS PER WEEK**

MAYOR WELLS-ARMSTRONG: Motion carries. Next on the agenda we have a Proposal by Odelson Sterk., Ltd., Attorney at Law to provide Legal Counsel for the City of Kankakee at the rate of 20 hours per week and one of the Mike's is here from the firm and I will go ahead and turn it over to you.

MIKE MCGRATH: Good Evening Mayor. Good Evening Everyone. It's good to see everyone again. I'm Mike McGrath...couldn't make it this evening. You have our proposal, I know you to table it. ... The Mayor is a better negotiator than you know. Besides the no charge for commuting back and forth to the City and reducing our hourly rate to start out. We have a limited amount of hours at 20 hours per week for the first 30 days to give you a chance to hopefully adjust your budget a little bit and eventually get to the full 30 hours that is in our proposal. In the next couple weeks if we are

approved we will work with Council either later this week or next week. I think we need to get together for a few hours and go over the files and work on any...

MAYOR WELLS-ARMSTRONG: Thank you. May I have a motion to accept the proposal?

ALD TETTER: So move.

ALD BARON: I... go ahead...go ahead I'm with ya!

ALD TETTER: You're Mayor Pro Tem.

ALD BARON: ...I would move that we approve the proposal to hire Odelson Sterk for a period of 30 days at the hourly rate of \$165.00 per hour for 20 hours a week.

MAYOR WELLS-ARMSTRONG: Motion made by Alderman Baron, I am seeing someone shaking their head. You said for 30 days?

ALD BARON: Well yes, that's what we have been discussing. It's a 30 day...it's an ongoing 30 day contract anyway. They are an at will contractor and obviously our intention is to entering to a long term agreement with them but at any time along the way, there is a 30 day...for any... So that's what the motion is and that will give us time to have a little better idea of where we are going with our budget.

MAYOR WELLS-ARMSTRONG: Motioned by Alderman Baron and Seconded by Alderman Tetter. Any discussion? Alderman Osenga?

ALD OSENGA: Just for clarification, Dennis you're saying we are going to hire thee gentlemen for 20 hours a week and it is not going to go up to 30 hours? I think Mike said they could go up to 30 hours after 30 days.

ALD BARON: Well, we are hiring them for 20 hours a week for a 30 day period to perform services described in their letter to us. Realizing as I said with hiring them. They know that ultimately they are going to have to spend more than 20 hours a week probably and we probably know that too. Everybody in this room now was downstairs taking about putting together a budget for next year. It doesn't seem to make a lot of sense to bind us for much longer than that realizing we are going to the long term plans... and they are comfortable with that.

ALD OSENGA: I'm still confused. First 3 days 20 hours. Second 30 days, how many hours?

ALD BARON: That's not included I the motion.

ALD OSENGA: We are only going to hire them for 30 days?

ALD BARON: That may sound like...but that's all that we would ever hire them for and that a they would ever agree to work for us for. As they state in their letter we can say no we don't want you and give them a 30 day notice or they can say we don't want to deal with you and give us their 30 day notice. If there is certainly a transitional or interim solution to an emergency problem...to Pat Power's.

MAYOR WELLS-ARMSTRONG: Alderwoman Kennedy?

ALD KENNEDY: I would like to amend that motion to strike out the 20 days to say 30 days.

ALD BARON: No, it says 20 hours...

ALD KENNEDY: Excuse me excuse me to strike out the 20 hours to say 30 hours.

MAYOR WELLS-ARMSTRONG: She would like to amend the motion from 20 hours to 30 hours. We have a motion and a second. We have discussion going on right now. Alderman Curtis?

ALD CURTIS: I think...this is how I see the process right now. In 15 days we will not have legal representation. That is not a good thing for the City's so we have to engage the law firm to protect the City's interest and go through the transition time. I think my understanding was that 20 hours currently meets the budget that we are working on through July. So 20 hours works with the current that I will call 2017-2018 fiscal budget. Gets us through, Baron's suggest 30 days...I wouldn't be opposed to 60 days...we are trying to figure out our budget going forward for 2018 and 2019. We don't have those answers yet, but at least we will have this firm to represent us. I think that it proves we need to hire them tonight. I think the reason why we are suggesting 20 hours is because that fits our current budget with spending any additional money while we figure out our budget. Our next meeting is June 11th; we will have a

better feel for it but...that's just my thoughts and that's how the 20 hours came up.

ALD BARON: We have a continuing spending resolution beyond May 1st at the beginning of the budget year....

ALD OSENGA: Madam Chair?

MAYOR WELLS-ARMSTRONG: Alderman Osenga.

ALD OSENGA: My question is to you. If an Alderman has a question...If we hire you guys and an Alderman has a question. Do we just call right up there and ask for whoever representing the City directly?

MARK MCGRATH: Different communities handle it differently, we would obviously give you our office number but we have our cell and our email. So if you have a question just shoot us an email that is probably the best way and we will respond back to you.

ALD OSENGA: Thank You.

ALD TALL: Madam Mayor? I think...

MAYOR WELLS-ARMSTRONG: Alderman Tall

ALD TALL: I think Alderman Curtis wanted to add 60 days instead of 30 days.

ALD CURTIS: No I just a comment.

MAYOR WELLS-ARMSTRONG: Okay so, we have a motion and a second.

ALD BROWN: The amended motion did not have a second.

MAYOR WELLS-ARMSTRONG: Does it make sense to...20 hours, where we are in the budget and ...our continued spending goes to the 2nd week in July. Does our continued spending resolution go to the 2nd week of July? Elizabeth, I'm sorry...

ELIZABETH KUBAL: Thank you Mayor. It will actually take us to the second meeting in July. So it's through that...it says I think actually a later date in July.

ALD BARON: That's great! We are entering a contract here and...

MIKE MCGRATH:

Obviously, we are going to be here or we will be back and forth and explaining where we are at...meetings...if we are going to go over the 20 hours to my understanding there is argument the first week of June. That will take an hour...three debriefs will prepare for the whole argument. If we go over we are certainly going to tell you. We are not going to stop at 20 hours and say you know what...so we may tell you we are over this week and hopefully the next week we will be lower. It's going to be flexible on both sides.

MAYOR WELLS-ARMSTRONG:What is your motion?

ALD BARON:

I will stay with the same motion I had. Especially the flexibility of it. We are going to be getting together.

MAYOR WELLS-ARMSTRONG: Okay. So, we have a motion by Alderman Baron and a Second by Alderman Tetter. Any other discussion? Okay Roll Call.

CLERK DUMAS:

AYES: Tetter, Brown, Curtis, Baron, Lewis, Tall, Faford, Crawford, Osenga, O'Brien, Gall, Malone Marshall, Kennedy
(13) Ayes (0) Nays

MAYOR WELLS-ARMSTRONG: Motion carries.

MIKE MCGRATH:

Thank you Mayor.

MAYOR WELLS-ARMSTRONG: Thanks for coming down.

MIKE MCGRATH:

I look forward to working with everyone. Pat, we will start, I will give you a call in the morning and we will talk about it.

PAT POWER:

Okay, we start at 9.

MAYOR WELLS-ARMSTRONG:Thank You. Drive safely

MIKE MCGRATH:

Okay, Thank You.

**NEW BUSINESS
APPOINTMENTS
RECOMMENDATION TO ACCEPT THE STANDING COMMITTEE'S MEETING
APPOINTMENTS FOR THE FISCAL YEAR 2018-2019**

(COMMITTEE'S LISTED BELOW)

**PUBLIC SAFETY
BUILDING & CODE SAFETY COMMITTEE
ENVIRONMENTAL SERVICES UTILITY
BUDGET COMMITTEE
LICENSE AND FRANCHISE COMMITTEE
ORDINANCE DEVELOPMENT COMMITTEE
COMMUNITY RESOURCE COMMITTEE
(COMMUNITY DEVELOPMENT AGENCY)**

MAYOR WELLS-ARMSTRONG: Okay, next item under New Business (B) appointments to accept the recommendation committee meeting appointments for the Fiscal Year 2018 -2019 and I will turn it over to Alderman Baron.

ALD BARON:

On Friday morning, the Mayor, Alderman Brown and I had a hour long phone conversation turning the... signs and neither Alderman Brown and I weren't here at the last meeting so that was good. So we came up with a proposal for the committee assignment for the 8 committees. Not include in this is KRMA. As in the past, KRMA is an appointment...so it's for 7 Council Committees and ESU which is a separate Committee...a separate entity. I will just tell you the basis and how we came about this. During my day job, I spend a lot of time negotiating cases and mediating trying to get parties to agree. In my day job, in negotiations it takes hours and hours and days and days to get two parties to agree. Here we have 14 that is the City Council and then the Mayor so we have 15 and the City Clerk so let's say we have 16 different parties. Now it is a difficult process for two people but bringing together 16 people with various proposals is virtuously impossible. So our theory for coming up with a proposal is to keep it close as we possibly could to what we have now. Last year 5 of the 7 committees...1. Continuity is a good thing. 2. It takes some time to develop an expertise; in developing expertise on the topic. So we have 5 of the 7 here. The other three such as License & Franchise, Alderman Gall because of her schedule asked not to be the Chair right now and that's fine, I understand that totally. So we have suggested and Alternate Chair and an Alternate Vice Chair. Then Alderwoman Gall will shift out of the committee and Alderman O'Brien will shift in an effort to get every Alderman on a committee. This is more complicated than

you think but in each case every Alderman has four committees. So, License & Franchise was changed there. Ordinance has changed given that one of the Alderman had two assignments and our thinking was to spread that around. Then finally, Economic Development, minor...of all minor changes the Vice Chair is no longer going to be Vice Chair so Alderman O'Brien is going to be Vice Chair. So the emphasis is on continuity and the emphasis is on settling things. Given the fact that if you don't settle things, believe me you are not going to have 16 parties to agree. With that and realizing that the committee Chair is responsible for collecting...but has to be voted on by full Council except ESU which there is doesn't seem to be dispute about at all. ESU makes their own decisions and adopts their own budget but the other 7 committees are totally dependent on the City Council...with that I present to you our suggestions for committees for this year.

City Council Committees

(2018-2019 RECOMMENDED APPOINTMENTS IN THE COUNCIL PACKET PRESENTED AS SHOWN BELOW)

ESU BOARD:	Wells-Armstrong (Chair), Tall (Vice Chair), Kennedy, Gall, Osenga, Swanson, Baron, Brown, Clerk Dumas
BUDGET:	Baron ((Chair), Brown (Vice Chair), Kennedy, O'Brien, Crawford, Faford, Tall
LICENSE/FRANCHISE:	Tall (Chair), Malone Marshall (Vice Chair), O'Brien, Osenga, Swanson, Curtis, Brown
ORDINANCE:	Lewis (Chair), Faford (Vice Chair), Malone Marshall, Gall, Crawford, Baron, Tetter
ECONOMIC DEVELOPMENT:	Tetter (Chair), O'Brien (Vice Chair), Malone Marshall, Crawford, Faford, Lewis, Curtis
CDA:	O'Brien (Chair), Swanson (Vice Chair), Kennedy, Osenga, Tall, Baron, Tetter
PUBLIC SAFETY:	Brown (Chair), Osenga (Vice Chair), Malone Marshall, Gall, Swanson, Lewis, Curtis
CODE:	Kennedy (Chair), Crawford (Vice Chair), Gall, Faford, Lewis, Curtis, Tetter

ALD TALL: Madam Chair?

MAYOR WELLS-ARMSTRONG: Are you making a motion?

ALD BARON: I will make a motion that we adopt as the committee assignments the way it was sent out to Council.

ALD TALL: Point of order...

MAYOR WELLS-ARMSTRONG: Motion Made...

MAYOR WELLS-ARMSTRONG: Motion Made by Alderman Baron.

ALD TALL: Point of order

ALD BROWN: I'll Second...I'll Second.

MAYOR WELLS-ARMSTRONG: Second...You do not have the floor Alderman Tall.

ALD TALL: I'm asking for a point of order

MAYOR WELLS-ARMSTRONG: You do not have the floor

ALD TALL: We went through this at the last meeting. Point of order takes precedent. There is a question on the floor. First of all...

MAYOR WELLS-ARMSTRONG: Let me get the motion and the second then we will go to discussion. Motion made by Alderman Baron and Seconded by Alderman Brown. Any Discussion?

ALD TALL: Yes, First of all...

MAYOR WELLS-ARMSTRONG: Alderman Tall.

ALD TALL: There was no discussion with the other Aldermen as to his recommendations. First of all, I will not Chair License & Franchise. Secondly, when you pulled this from the agenda at the last meeting, you were out of order. We did not take a vote. So these recommendations are not withstanding. The Council had recommendation at the last meeting and we were not allowed to vote. So we would ask that the council will remove on the validity of that recommendation.

MAYOR WELLS-ARMSTRONG: Do you want to say something?

PAT POWER:

There is a motion and a second on the floor, this is discussion. The motion relates to a specific list. It sounds like...I don't want to put words in your mouth but, it sounds like you are basically saying you disagree with this list. I don't know if you are going to propose an amendment, I don't know what you are going to do here but this is the motion...that is to say the list here is the motion.

MAYOR WELLS-ARMSTRONG: And to speak to that, I gave Alderman Brown and Alderman Baron the information that was provided for me by the Council. I had spoken to Brown, Tetter, Alderman Curtis emailed me last week. I have spoken with Gall, O'Brien, I have spoken with Osenga, Crawford, Kennedy, Malone Marshall. I spoke with Faford and Danita Swanson and I spoke with Alderwoman Lewis as well. I gave the information that has been provided for me either in emails, conversations or txt messages of what people's preferences were. We did not have a consensus at the last meeting. My job as the Chair is to keep the City's business moving forward and that's what my efforts were to do was to keep the City business moving forward. Our two Senior Aldermen were not here at the last meeting and it is my understanding that the list that was provided at the last meeting did not include input from several of the members of the Council.

PAT POWER:

With regard to the particular ordinance group proceeding under that, it's to say the authority of the Council to pick the various committees unless there is some confusion there. There is a deadline by which you must act. Now, it says shall. There is a question among history of cases describing when shall means shall and when shall means may. That is to say that the courts have interpreted this language in some occasions to be mandatory and in some occasions to be directory. Now the issue here that I am trying to...sounds like a deadline and it does say shall; however, the case of interpreting this language has always indicated if the shall does not follow with consequences; that is to say you shall or else. It is directory and not mandatory. So I would suggest to you that if discussion is in order and it sounds like it is. We can do it in other ways but don't think in terms of this...if it's not voted on tonight

that doesn't mean you can't set...but it's not a drop dead deadline mandate and I think that's important to realize that. A number of things can be done here: You could vote, you could...I don't know if discussion will do any good here you have to be careful of that if you can't go into executive session regards to at least I don't think you can. I am not aware of any exceptions to Open Meeting Act... it has to be done in Open Session, I think.

MAYOR WELLS-ARMSTRONG: Any other discussion? Roll Call.

ALD CRAWFORD: I would like to make a comment Mayor.

MAYOR WELLS-ARMSTRONG: Roll Call

PAT POWER: We are in discussion you said...

MAYOR WELLS-ARMSTRONG: Alderman Crawford?

ALD CRAWFORD: I would like to make the comment that not only did I talk to you I emailed you and one of my concerns with these committees was all of the Chair Persons, the Chairs have been Democrat. I asked you if you would be...if you would go ahead and have 4 Democrats and 3 Republicans....The people running the committees now you have 6 Democrats and 1 Republican.

MAYOR WELLS-ARMSTRONG: You sent me a text message and said that you did not think that I was very transparent with more Democrats Chairing and I explained to you what transparency means and that this is not about partisan politics this is about people who are working to move the City forward. And it's important that people that are Chairing Committees are working with every one...including me. You told me you were fine with your Committees and you did not want to Chair.

ALD CRAWFORD: I am okay not being a Chair but having 6 Democrats and 1 Republican.

MAYOR WELLS-ARMSTRONG: I don't know what my original list has that I came up with but this is the list that Alderman Baron and Alderman Brown came up with and that's based on people working to move the City. It's not based on Partisan Politics.

ALD CRAWFORD: Okay then, so let's take a vote and see where it comes out. Then we will present the other slate if it doesn't pass.

MAYOR WELLS-ARMSTRONG: Okay...

ALD BARON: From my perspective I think it's more important that we have structure than the particulars of it. I think it's unfortunate that we can't agree on something like this. We will come up with something I am sure but I would like to vote of the proposal and move on to something necessary.

MAYOR WELLS-ARMSTRONG: Roll Call.

CLERK DUMAS: **AYES:** Tetter, Brown, Baron, Lewis, Gall, Malone Marshall,
NO: Curtis, Tall, Faford, Crawford, Osenga, O'Brien, Kennedy
(6) Ayes (7) Nays

MAYOR WELLS-ARMSTRONG: Motion fails.

ALD CRAWFORD: Mayor?

MAYOR WELLS-ARMSTRONG: Alderman Crawford.

ALD CRAWFORD: I would like to make a motion to present the slate that Tyler Tall and some of the Alderman put together.

MAYOR WELLS-ARMSTRONG: I don't think you can so that.

ALD BROWN: Did you say 6...What did you say?

ALD CRAWFORD: 7 No's

CLERK DUMAS: 7 No's

PAT POWER: 7 No's and 6 Yay's...you're missing one.

CLERK DUMAS: Danita is absent.

ALD TALL: A motion is on the Committees...

ALD OSENGA: I second that motion Mayor.

PAT POWER: Do you have copies for everyone or do you want to announce it on the schedule or I mean on the...?

ALD TALL: You can announce it or pass it out...

MAYOR WELLS-ARMSTRONG: Alderman Brown?

ALD BROWN: That's, that's, that's, that's not the way we've been doing it...if it's presented in this meaning you can only act on it in the next meeting. You cannot act upon it in this meeting.

ALD TALL: That's not true.

PAT POWER: That's not true. Are you saying he can't make the motion?

ALD BROWN: He can make a motion...

ALD TALL: He can act on it.

ALD BROWN: He can make a motion but none of us has seen it.

PAT POWER: No he is to make his motion clear. He either has to pass out a list or announce it verbally. That's going to be difficult though for anybody maintain that in their memory.

ALD BROWN: Are you telling me...Are you telling me...question, question.

PAT POWER: The issue is on the agenda that's okay. He's got a different proposal for it that's all.

ALD BROWN: So are you telling me we can vote on a proposal we have not seen? Although...one...is that what you are telling me?

PAT POWER: What's on the agenda is the appointments for committees. That's what we are dealing with.

ALD BROWN: Right.

ALD CRAWFORD: More than one person can have a slate.

ALD BROWN: Oh, I understand that but I thought we had to see it?

PAT POWER: Well, the subject is legitimately on the agenda...He has to make the motion clear. I don't know how he is going to do it.

ALD TALL: The motion that I will make starting with License and Franchise, naming the first person as the Chair.

CLERK DUMAS: Excuse me... Do you have any additional copies?

PAT POWER: Are these from the other list? Do we have copies for the Council?

CLERK DUMAS: We need to get copies made

MAYOR WELLS-ARMSTONG: Alderman Curtis did not want to be Chair of Economic Development. You are on here as Chair...

(COPIES OF THE PROPOSAL ALDERMAN TALL PRESENTED FOR PROPOSAL ARE BEING MADE TO PASS OUT TO ENTIRE COUNSEL)

SHORT RECESS
(8:03 P.M. – 8:10 P.M.)

MAYOR WELLS-ARMSTRONG: I am just going to take a short recess.

RETURNED FROM SHORT RECESS
(BACK IN OPEN SESSION 8:12 P.M.)

ALD TALL: Are we back in order?

MAYOR WELLS-ARMSTRONG: Yes were back.

ALD TALL: My amendment in my motion would be to License/Franchise. The following people would be listed... Dave Crawford (Chair), Alderman Baron (Vice Chair), Alderwoman Marshall, Alderwoman Gall, Alderwoman Swanson, Alderwoman Lewis, and Alderman Tetter.

ALD GALL: Mayor? I don't know if it is the appropriate time or anything.

MAYOR WELLS-ARMSTRONG: Alderman Gall...

ALD GALL: I don't know if it is the appropriate time but I am on six Committees and my seat...is on two on this one.

ALD TALL: All the Committees are not being changed at this time. We are only changing License/Franchise.

ALD FAFORD: I second that.

MAYOR WELLS ARMSTRONG: Did you say you are on 6 Committees?

ALD GALL: Yes and Mike is on two. I just think maybe...I mean I like them all but I do have two kids.

ALD BROWN: Then you know what...Motion to table.

ALD TALL: May I make a correction? We were only doing License/Franchise...

ALD MALONE MARSHALL: Second.

PAT POWER: There is already a motion and second to table.

MAYOR WELLS-ARMSTRONG: Alderwoman Marshall Malone second it. Okay, you guys figure it out.

PAT POWER: You have to do Roll Call.

MAYOR WELLS-ARMSTRONG: Okay, I'm sorry. Motioned by Alderman Brown to table and seconded by Alderwoman Malone Marshall. Roll Call.

CLERK DUMAS: **AYES:** Tetter, Brown, Lewis, O'Brien, Gall, Malone Marshall, Kennedy
NO: Curtis, Tall, Faford, Crawford, Osenga,
PRESENT: Baron
(7) Ayes (5) Nays (1) Present

ALD CRAWFORD: Is that for License/Franchise or is that for all?

PAT POWER: The original motion is to adopt this list then he started reading the one.

MAYOR WELLS-ARMSTRONG: We have no motions & resolutions. There is no need for an Executive Sessions. Alderman Comments.

ALD OSENGA: Clarification...(inaudible)
I want to read this just so everybody knows. There is a lot of confusion...The City of Kankakee Municipal Code Chapter 2 Administration Article 3, Section 2-45 City Council, Standing Committees Generally. Sec.2-45 Standing Committees Generally (a) states: That standing committees of the City Council shall be appointed by the members of the City Council annually, on or before May 15th of each year, and the first person named in the committee shall be the Chairman thereof. In the absence of

the Chairman his designee of the committee shall act as Chairman...(inaudible).

MAYOR WELLS-ARMSTRONG: Thank You Alderman Osenga. May I have a motion to...

ALD BROWN: Whoa...Whoa...Whoa...Whoa!!! I gotta comment.

MAYOR WELLS-ARMSTRONG: Alderman Brown go ahead.

ALD BROWN: I...you are right! There has been a lot of discussion and it look like it may be a lot of discussion other than this Counsel too. (*mic going in and out*). I have been on this...for a long time....I have never seen the division like I have seen today... because we all like each other and we all get along. We had...whenever there was a problem we worked it out. I don't understand why we can't work together to resolve issues...bridge the gap...we can't continue to function like we do... do you think people want to come to this community...if I was outside I surely would not....We talk to everyone.

ALD CRAWFORD: Not me.

ALD BROWN: You don't talk to me either so we are even. Alderman Baron and myself are willing to meet...we can't be defined by this behavior....

MAYOR WELLS-ARMSTRONG: Alderman Baron...

ALD BARON: (Inaudible)

MAYOR WELLS ARMSTRONG: Motion to adjourn...

ALD TALL: Mayor, I have a comment. It's Alderman Comments Right?

MAYOR WELLS-ARMSTRONG: You have to be recognized by the Chair Alderman Tall.

ALD TALL: I'm waiting...

MAYOR WELLS-ARMSTRONG: Okay, proceed.

ALD TALL: Do I have the floor.

MAYOR WELLS-ARMSTRONG: Yes.

ALD TALL:

I want to read the legal opinion into the record.
May 11, 2018 Legal Opinion L. Patrick Power
Corporation Counsel City of Kankakee.

ISSUE: Once the mayor has set the Agenda for a meeting,
can he/she amend that Agenda without Council approval.

OPINION: Once agenda has been set, the Mayor may not
amend the agenda without the concurrence of the Council.
A two-thirds (2/3) vote may be required.

MAYOR WELLS-ARMSTRONG: Okay thank you. I did not try to do anything improperly.
The last meeting was 3 hours and it got to be pretty chaotic.
I was trying to move the City along to move...the business.
I used my discretions....the previous administration did
it...I seen her do it...so I used my discretion and did it.
That's the end of it. That's the end. May I have a motion
to adjourn?

ALD TALL:

Well...(inaudible)

ALD BROWN:

So move.

ALD MALONE MARSHALL: Second

MAYOR WELLS-ARMSTRONG: Motioned by Alderman Brown and Seconded By
Alderswoman Malone Marshall. All in favor aye?

COUNCIL:

Aye.

MAYOR WELLS-ARMSTRONG: Opposed same sign. We are adjourned.